

HOUSE BILL REPORT

ESSB 5385

As Reported by House Committee On:
Natural Resources, Ecology & Parks
Appropriations

Title: An act relating to creating an invasive species council.

Brief Description: Creating the Washington invasive species council.

Sponsors: Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Jacobsen, Oke, Fraser, Swecker and Kline).

Brief History:

Committee Activity:

Natural Resources, Ecology & Parks: 2/17/06, 2/21/06 [DPA];
Appropriations: 2/23/06 [DPA(NREP)].

**Brief Summary of Engrossed Substitute Bill
(As Amended by House Committee)**

- Creates an eight-person council within the Interagency Committee for Outdoor Recreation with the purpose of coordinating the management of harmful invasive species until the end of 2011.
- Creates a new, non-appropriated account to receive any appropriations, gifts, grants, or donations that the Washington Invasive Species Council may be given.

HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

Majority Report: Do pass as amended. Signed by 8 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Blake, Chandler, Dickerson, Hunt and Kagi.

Minority Report: Do not pass. Signed by 2 members: Representatives Kretz, Assistant Ranking Minority Member and Orcutt.

Staff: Jason Callahan (786-7117).

Background:

Invasive species are generally considered to be animal or plant species that are thriving in a geographical area to which they are not native. Washington has a number of programs to manage invasive species. Many of these programs are tailored for a specific purpose. For

instance, there are programs designed to manage invasive upland plant species such as wild chervil, aquatic plant species such as spartina and purple loosestrife, as well as aquatic animal species such as zebra mussels. The programs are generally run by the state agency with expertise in the environment or industry in which the invasive species operates or the pathway through which future invasive species could arrive.

Summary of Amended Bill:

Creation of the Washington Invasive Species Council

The Washington Invasive Species Council (Council) is created within the Interagency Committee for Outdoor Recreation, until the end of 2011, to provide policy level direction, planning, and coordination for combating harmful invasive species. For the purposes of the Council's scope, invasive species include non-native organisms that cause economic or environmental harm and are capable of spreading to new areas of the state.

Council Composition

The Council is to be composed of representatives of six state agencies and two representatives of county government. The agencies represented are the Departments of Agriculture, Transportation, Fish and Wildlife, Ecology, and Natural Resources, along with the State Noxious Weed Control Board. The members of the Council may vote to increase the membership at any time. In addition, representatives from the federal government must be invited to participate in a non-voting capacity. Federal participants must represent the U.S. Department of Agriculture, the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, and the U.S. Coast Guard.

In addition, the Council may establish technical and advisory committees if it deems them necessary to aid and advise the Council. Representation, membership, terms, and organization of the advisory committees will be determined by the Council.

Council Goals

The Council has specific goals. These goals include serving as a forum for identifying and understanding invasive species issues, facilitating the communication and cooperation of those involved with invasive species, reviewing the current funding mechanisms and levels for state agencies to manage noxious weeds on public lands, providing an avenue for public outreach, and developing future legislative recommendations.

In addition, the Council must prepare a strategic plan for addressing invasive species issues. The state agencies represented on the Council must make an effort to implement the elements of the plan applicable to that agency. The plan must, at a minimum, address the following issues:

- statewide coordination and intergovernmental coordination;
- inventory and monitoring of invasive species;

- prevention of new biological invasions;
- early detection and rapid response;
- eradication of existing established populations of invasive species;
- management of invasive noxious weeds on state lands;
- identification of projects that can be implemented;
- restoration of native species;
- research and education; and
- funding sources.

The Council must select at least one project each year from the strategic plan. This project will be the focus of coordinated action by the Council's member entities.

New Account

The new non-appropriated Invasive Species Council Account (Account) is created. The Account will receive any appropriations, gifts, grants, or donations that the Council may be given. Money in the Account may only be used to fund the Council's charge under the bill.

Reports to the Legislature

In addition to developing recommendations for new legislation, the Council is required to submit an annual report to the Legislature and the Governor. The report is to describe the progress made towards implementing the strategic plan. By the end of 2010, the Council must report to the Legislature as to whether its existence should be extended or modified.

Amended Bill Compared to Engrossed Substitute Bill:

The striking amendment adds two county representatives to the Council, requires the Council to coordinate with the Biodiversity Council created through an executive order by Governor Locke, and requires the Council to address the management of invasive noxious weeds by state agencies.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support of engrossed substitute) The current state approach to invasive species management is fragmented among various agencies, but there is no central coordination. As a result, the various agencies compete for funding and function in a manner that is not necessarily in the best interest of the state. Washington needs effective and efficient control of invasive species.

Invasive species are harmful to ecosystems and can transfer to new habitats quickly. Healthy habitats are the key to healthy bird populations, and invasive species are a major threat to bird habitat.

(With concerns on engrossed substitute) If the Council is truly going to foster cooperation and joint efforts, than counties should be expressly included in the legislation.

Testimony Against: None.

Persons Testifying: (In support of engrossed substitute) Senator Jacobsen, prime sponsor; Senator Roach; Mike Ryherd, Conservation Northwest; Miguel Perez-Gibson, Audubon Society; Morris Barker, Department of Fish and Wildlife; and Laura Johnson, Interagency Committee for Outdoor Recreation.

(With concerns on engrossed substitute) Eric Johnson, Washington Association of Counties.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Natural Resources, Ecology & Parks. Signed by 20 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Cody, Conway, Darneille, Dunshee, Haigh, Hunter, Kagi, Kenney, Kessler, McDermott, McIntire, Miloscia, Priest, Schual-Berke, P. Sullivan and Talcott.

Minority Report: Do not pass. Signed by 6 members: Representatives Alexander, Ranking Minority Member; Buri, Clements, Hinkle, Pearson and Walsh.

Staff: Alicia Paatsch (786-7178).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Natural Resources, Ecology & Parks:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) We worked on this last year and this bill adds counties to the Invasive Species Council and is supported by agencies, such as the Departments of Fish and Wildlife and Agriculture. All of these agencies have invasive species work and staff and sometimes their activities are in conflict or not well organized. We want to avoid that conflict and provide the technical support through ad-hoc committees that can be formed though this bill. This will save the state money over time and the Senate funds \$100,000 for the coordination piece of the bill. The impact of invasive species is significant on endangered species, with the largest impact being from aquatic species; and the cost to the economy is in the billions of dollars. It is best to be proactive before these invasive species get into the state.

(With concerns) The criteria on which an invasive species is based is not based on technical knowledge of these species. Some plants have been mislabeled as invasive species. The bill does not provide for anyone with technical experience or with horticultural knowledge.

Testimony Against: None.

Persons Testifying: (In support) Bill Robinson, The Nature Conservancy; and Mike Ryherd, Conservation Northwest.

(With concerns) Heather Hansen, Washington State Nursery and Landscape Association.

Persons Signed In To Testify But Not Testifying: None.